



# MONTHLY HIGHLIGHTS

NOAA  
NATIONAL MARINE FISHERIES SERVICE  
NORTHEAST REGION  
HABITAT CONSERVATION DIVISION

**February 2004**

**GLOUCESTER, MA OFFICE, ONE BLACKBURN DRIVE, GLOUCESTER, MA 01930**

## **DATA NEEDED TO SUPPORT FLOAT STOPS RECOMMENDATION**

For the month of February, nearly 60% of the 39 projects reviewed through the Army Corps of Engineers (ACOE) Maine field office were for pier, ramp, and floats. One issue that continues to come up is the impact created by floats which ground out at low tide. A common method for minimizing the total area of impact is to use skids, boards attached to the bottom of the float, which act to reduce the surface area of the impact. Skids work well in areas where the intertidal zone consists of a firm substrate such as cobble. When the water is out, the skids rest on the substrate with a minimal overall area of impact. Skids do not work well where intertidal substrates are soft mud or sand. On this type of substrate the skids slowly, over many tidal cycles, sink into the substrate. At first the skids alone create small depressions. Later, as waves and tides interact with the float, larger holes form as sediment is washed away. The skids no longer support the float above the substrate, and the area of impact can be greater than the float itself. Alternatives for avoiding this type of impact include extending the overall length of the structure or utilizing float stops. Although the ACOE project managers have been willing to examine the practicality of using float stops, biological data to support the need to prevent grounding of floats at low tide is not available. Current recommendations are based on best professional judgement. In addition, because ledge and ice are a concern for constructing piers, some criteria for when float stops are practical should be developed to help guide the ACOE. The ACOE Maine field office will be hosting an informal meeting and site visit with resource agencies, consultants, and contractors to discuss the issue and options. ([sean.mcdermott@noaa.gov](mailto:sean.mcdermott@noaa.gov), 978/ 281-9113)

## **MAINE DOT HOSTS RETREAT TO EVALUATE COORDINATION PROCESS**

The Maine Department of Transportation (DOT) hosted a daylong retreat with state and federal resource agencies to discuss specific long-term projects, methods for sharing information, obtaining resource data with Geographic Information Systems (GIS), and to evaluate the coordination process. Overall, the retreat reaffirmed the value of monthly interagency meetings and identified procedures for enhancing efficiency and coordination. Two such points are to utilize conference calling with internet technology for those who cannot attend and to establish a subcommittee to evaluate GIS technology. ([sean.mcdermott@noaa.gov](mailto:sean.mcdermott@noaa.gov), 978/ 281-9113)

## **MERRIMACK RIVER POLICY COMMITTEE MEETING HELD IN MANCHESTER, NH**

The primary topics of discussion at the Merrimack River Policy Committee meeting on 20 Feb. 2004 were supporting needs for fish passage at the Essex dam in Lawrence and the Pawtucket dam in Lowell; re-licensing of the Public Serve Company of New Hampshire hydroelectric project - consisting of the

Amoskeag Dam, Hooksett Dam, and Garvin Falls Dam; and critical needs for 2004.

Much of the meeting was focused on the first two projects on the Merrimack River. The Lawrence project (Essex Dam) will have a new bucket on the fish lift for this season or next. The new bucket will be larger and will hopefully improve efficiency. However, this project remains a blockage to American eel passage. The Technical Committee will evaluate options for addressing this issue. Although fish are passing the Lawrence Project, the Lowell Project (Pawtucket Dam) appears to be a problem for American shad. Why shad are not passing at the Lowell Project is under review by the Technical Committee. Observations of fish behavior and dye tests conducted last year suggested the attractant flows to the fish ladder are not optimal. How to improve that flow is being examined. A bigger concern for 2004 is state budget cuts. Current staffing of state resource agencies is greatly reduced and personnel are not available to operate the Lawrence Project's fish lift at 2003 levels. The Policy Committee is looking to address this concern. ([sean.mcdermott@noaa.gov](mailto:sean.mcdermott@noaa.gov), 978/ 281-9113)

#### **APPLICATION FOR SURRENDER AND REMOVAL OF FISKE MILL DAM FILED WITH THE FEDERAL ENERGY REGULATORY COMMISSION (FERC)**

NOAA Fisheries has reviewed the Application for Surrender for the Fiske Mill Hydroelectric Project (FERC #P-8615) in Hinsdale, NH. The Fiske Mill is the first dam on the Ashuelot River. Fish passage had been proposed at this site, but due to economics, the owner now intends to remove the dam. The application indicates work will be completed during low flow summer months (July-August) and all water will be initially diverted through a bypass channel on the north side. Upon removal of the southern portion of the dam, water will be diverted to the south where the stream is thought to have flowed historically. Based on this description, construction equipment will work primarily in the dry. Debris resulting from demolition of the dam and excavated material will be disposed of in the existing inlet channel and the tailrace. Debris and excavation material will be used to restore the stream bank immediately upstream and downstream of the dam.

The Ashuelot River, a tributary to the Connecticut River, has been the focus of several restoration efforts in the past few years. The natural riparian corridor and passage for diadromous fish (American eel, blueback herring, alewife, shad, and Atlantic salmon) have been greatly enhanced by the removal of two upstream dams. Removal of the Fiske Mill project has potential for greatly improving migratory, spawning, and nursery habitat for these and other residential species. NOAA Fisheries supports removal of the Fiske Mill dam as another step to habitat restoration and enhancing diadromous fish passage. ([sean.mcdermott@noaa.gov](mailto:sean.mcdermott@noaa.gov), 978/ 281-9113)

#### **NORTHEAST REGION (NER) TRANSPORTATION PROJECT REVIEW HANDBOOK**

Progress was made on the Northeast Region's Transportation Project Review "Handbook" through the interviews of expert NER staff conducted this week by contractor Drew Carey of Coastal Visions. Development of the Handbook is an outgrowth of the Department of Commerce's Port Improvement and Economic Revitalization project and is intended to improve external understanding of the way transportation projects are reviewed in NER for impacts on habitat and protected resources. The goal is to achieve streamlined review by helping project proponents to prepare complete applications containing a sufficient environmental assessment of protected resources and habitat impacts. The project also seeks to develop potential best management practices matched to appropriate circumstances as a way to encourage the adoption of more environmentally sound projects and a more predictable review process. Habitat field staff may expect to hear from the contractor in the near future.

([Kathi.Rodrigues@noaa.gov](mailto:Kathi.Rodrigues@noaa.gov), 978/ 281-9324)

### **COMMERCIAL DEVELOPMENT PROJECT PROPOSED IN LITTLETON, NH**

The Habitat Conservation Division (HCD) reviewed a commercial development project proposed for Littleton, NH and provided conservation recommendations to the ACOE, New England District. The proposed project, a Home Depot facility, would involve filling approximately 1.5 acres of wetlands adjacent to the Ammonoosuc River and add approximately 10 acres of impervious surfaces within the 100-year flood plain. The Ammonoosuc River is an important tributary of the Connecticut River, both of which have been identified as Essential Fish Habitat (EFH) for Atlantic salmon. Efforts are currently underway to restore the natural migration of Atlantic salmon in the Ammonoosuc River by the New Hampshire Fish and Game (NHF&G). In addition, this portion of the Ammonoosuc River supports naturally reproducing brook trout (Dianne Emerson, NHF&G, personal comm). To compensate for the loss of wetlands from the proposed project, the applicant has proposed to create approximately 7 acres of wetlands onsite and in the flood plain of the Ammonoosuc River, and to preserve approximately 3 acres for an upland buffer. However, NOAA Fisheries is concerned that the proposed project may adversely affect the habitat value of the river by impacting wetlands and the flood storage capacity of the 100-year flood plain adjacent to the river. Furthermore, the proposed project may increase stormwater runoff from the proposed development into Dell's Brook, which flows through the property and into the Ammonoosuc River. NOAA Fisheries provided conservation recommendations to: 1) reduce the footprint of the project within the 100-year flood plain or, alternatively, seek other property near the proposed project that could be modified to provide the similar functions within the 100-year flood plain; 2) modify the proposed stormwater treatment areas to improve the ability to store and treat stormwater and reduce the potential adverse impacts from fine-grained sediments, salts, hydrocarbons and other contaminants into Dell's Brook and the Ammonoosuc River. ([Mike.R.Johnson@noaa.gov](mailto:Mike.R.Johnson@noaa.gov), 978/ 281-9130)

### **JAMES J. HOWARD MARINE SCIENCES LABORATORY, HIGHLANDS, NJ 07732**

#### **COMPENSATORY MITIGATION GUIDANCE - GENERAL**

HCD sent letters to all ACOE Districts in the Northeast Region with comments concerning each district's draft compensatory mitigation and monitoring guidelines. Every district within the nation was instructed by ACOE Headquarters to complete such guidelines by the summer of 2004. Overall, HCD staff found the guidance documents satisfactory, with a need for only minor changes. Specific comments for each district follow. ([Stan.W.Gorski@noaa.gov](mailto:Stan.W.Gorski@noaa.gov), 732/ 872-3037)

#### **COMPENSATORY MITIGATION GUIDANCE - NEW YORK DISTRICT**

HCD staff from Sandy Hook and Milford reviewed the *Draft Compensatory Mitigation Guidelines and Mitigation Checklist for review of Mitigation Plans for the U.S. Army Corps of Engineers, New York District* issued as a Special Public Notice by the New York District ACOE. The mitigation guidelines and the checklist prepared by the New York District are quite comprehensive and we had only minor recommendations to assist the ACOE in achieving its goal of "no net loss of wetland functions and values under the regulatory program," and to help meet our respective mandates under the Magnuson-Stevens Fishery Conservation and Management Act. Our recommendations included improving the consistency of the guidelines with the Philadelphia District's proposed guidelines since both districts have jurisdiction in New Jersey, consideration of impacts on EFH, and increased compliance monitoring. We look forward to continued coordination with the ACOE as the guidance is finalized. ([Karen.Greene@noaa.gov](mailto:Karen.Greene@noaa.gov), 732/ 872-3023)

## **COMPENSATORY MITIGATION GUIDANCE - PHILADELPHIA DISTRICT**

Habitat staff has provided comments to the Philadelphia District for the ACOE's Draft Compensatory Mitigation Guidelines and Mitigation Checklist. The guidelines should assist applicants preparing compensatory mitigation proposals associated with the requirements of a Department of Army permit authorizations. Recommendations include: the guidance should provide consistency with the State of New Jersey and the New York District and Philadelphia District ACOE, all of whom have jurisdiction in New Jersey. That compensation is applicable to replace aquatic resource functions lost or adversely affected by authorized activities when efforts to avoid and minimize are exhausted. A monitoring plan should be provided which would include a schedule for follow-up ACOE inspections with reports provided routinely to resource agencies regarding the status of outstanding mitigation projects.

**([anita.riportella@noaa.gov](mailto:anita.riportella@noaa.gov), 732/ 872-3116)**

## **DELAWARE BASIN FISHERIES**

Stan Gorski met with representatives of the Northeast Region's Protected Resources Division to discuss proposed revisions to the Delaware Basin Fish and Wildlife Cooperative's seasonal restrictions for dredging, blasting, and overboard disposal within the Delaware mainstem. Members of the Cooperative consist of the fish and wildlife agencies of the four basin states, the National Marine Fisheries Service, and the U. S. Fish and Wildlife Service. The purpose of the restrictions document is to provide consistent guidance from each member agency to the ACOE, the dredging industry, other regulatory agencies, and waterfront property owners concerning where and when dredging and other aquatic construction can take place with minimal adverse effects on fishery resources.

**([Stan.W.Gorski@noaa.gov](mailto:Stan.W.Gorski@noaa.gov), 732/ 872-3037 or [Anita.Riportella@noaa.gov](mailto:Anita.Riportella@noaa.gov), 732/ 872-3116)**

## **MEADOWLANDS INTERAGENCY MITIGATION ADVISORY COMMITTEE (MIMAC)**

The MIMAC had several pre-application meetings at its February meeting including a meeting with the staff of the New Jersey Meadowlands Commission (NJMC) and the Port Authority of New York and New Jersey to discuss a plan to construct a security road and a public trail at the Teterboro Airport. The security road is necessary to meet the Federal Aviation Administration's new security requirements. The trail would be for NJMC supervised public access to Teterboro woods, one of the few remaining forested wetlands in the area. Representatives of the Meadowlands Mill Limited Partnership and Mack-Cali Meadowlands Corp., the developers of the proposed Xanadu entertainment complex, discussed the mitigation proposed for the project.

The New Jersey Sports and Exposition Authority (NJSEA) has selected the two companies to redevelop the Continental Airlines Arena site. Xanadu replaces the mega-mall/office development that was proposed for the Empire Tract. The total wetland fill proposed for this project is about seven and a half acres. Their conceptual mitigation plan includes enhancement to two *Phragmites* dominated wetland properties along the Hackensack River and the preservation and possible enhancement of some properties on Losen Slote Creek. As currently proposed, the preservation of non-tidal wetlands along Losen Slote would not be acceptable compensatory mitigation for the loss of tidal wetlands.

**([Karen.Greene@noaa.gov](mailto:Karen.Greene@noaa.gov), 732/ 872-3023)**

## **NEPTUNE REGIONAL TRANSMISSION, LLC.**

HCD staff from Sandy Hook and Milford (via telephone) attended a meeting with the ACOE and representatives of Neptune and their consultants to discuss our outstanding concerns about the proposed project. Neptune proposes to install a 600 MW high voltage direct current (HVDC) electric transmission cable between Sayreville, New Jersey and North Hempstead, New York through the Raritan River, Raritan Bay, Sandy Hook Bay, the Atlantic Ocean, Jones Inlet, and Hempstead Bay. Most of the outstanding issues were resolved and we are now working with the ACOE and the applicant to design an

appropriate pre- and post-construction monitoring plan to identify and evaluate any impacts on resources of concern to NOAA Fisheries that may result from the proposed project. [[Karen.Greene@noaa.gov](mailto:Karen.Greene@noaa.gov), 732/ 872-3023; [Diane.Rusanowsky@noaa.gov](mailto:Diane.Rusanowsky@noaa.gov), 203/ 882-6504; or [Julie.Crocker@noaa.gov](mailto:Julie.Crocker@noaa.gov), 978/ 281-9328 ext 6530 (for ESA issues)]

### **HALO WAVE ATTENUATOR**

Habitat staff was present at a Joint Permit Processing Meeting on January 14, 2004 when representatives from Elemental Innovation summarized issues concerning a new type of wave attenuator. The HALO was described as “a modular attenuator capable of reducing an ocean wave’s height by 80%. By absorbing rather than deflecting the force of waves, the HALO works to dissipate waves and wakes, prevent sand erosion, promote sand accretion and provide a security zone against convert ingress and egress. The attenuator is a concentration of vertically oriented, linear, low-density, non-toxic polyethylene panels containing UV inhibitors which are connected by rubber, energy-absorbing cables to form a vertical and horizontal face in a row. Hoop connectors are joined in the center of each row to connect rows of panels, allowing the structure to recoil under extreme wave conditions and then reset. Panel sections make it easy to adjust the draft, breadth, and length of the structure. The HALO has semi-permeable sides, which allow a portion of a wave’s activity to pass into the structure where it is confronted by a pool of calm water and a second semi-permeable wall. A second calm pool of water embraces what remains of the wave as it tries to pass though the second semi-permeable wall; and then a final wall greets the remainder of the wave.” This adaptable design looks promising and may prove to be an environmentally friendly alternative to CCA treated breakwaters and other structures. For further information contact [Jbishop@elementalinnovation.com](mailto:Jbishop@elementalinnovation.com). ([anita.riportella@noaa.gov](mailto:anita.riportella@noaa.gov), 732/ 872-3116)

### **MILFORD, CT OFFICE, 212 ROGERS AVENUE, MILFORD, CT 06460**

### **GERRITSON CREEK ECOSYSTEM RESTORATION PROJECT UPDATE**

Staff completed their review and comment on a draft environmental assessment prepared by the New York District, ACOE for the Gerritson Creek Ecosystem Restoration Project. The project goal is to restore habitats impacted by past filling activities associated with the Jamaica Bay Federal Navigation Project. In sum, the proposal is intended to improve habitat diversity to support avian and wildlife uses. Under this proposal, approximately 20.5 acres of intertidal salt marsh and 15 acres of coastal/maritime grassland would be restored. We look forward to continued coordination with the ACOE as the EA is finalized and project plans advance. ([Diane.Rusanowsky@noaa.gov](mailto:Diane.Rusanowsky@noaa.gov), 203/ 882-7504)

### **TOWN OF RIVERHEAD PROPOSES DREDGING IN WADING RIVER CREEK**

A long-postponed maintenance dredging project to re-establish vessel access to Long Island Sound is proposed for Wading River Creek near the former Shoreham Nuclear Power Plant. Project components include rebuilding a boat ramp and hydraulically dredging substrate from Wading River Creek with beach nourishment. Staff is coordinating closely with the New York District, ACOE and the project proponents on the overall proposal, which may be undertaken in multiple mobilizations. ([Diane.Rusanowsky@noaa.gov](mailto:Diane.Rusanowsky@noaa.gov), 203/ 882-7504)

### **LIPA REQUESTS INTERAGENCY BRIEFING**

Staff have been asked to attend an interagency meeting in early March to discuss the status of Long Island Power Authority’s review of proposals for their wind power initiative off the south shore of Long Island, New York. It is our understanding that they also wish to discuss their proposed environmental impact assessment scope and any coordination that must be completed as their plans for establishing

local renewable electricity generation unfold. Due to travel funding constraints, staff will likely participate in the meeting via telephone conference rather than in person.

**(Diane.Rusanowsky@noaa.gov, 203/ 882-7504)**

### **COLD WEATHER SHUTS DOWN MANY DREDGING PROJECTS (Correction)**

There has been some feedback that this note which appeared in the January report implied that winter flounder spawning was in trouble in areas outside western Long Island Sound and in the winter of 2004. As spawning is just starting, we are unaware of the potential or success of the fish anywhere. Rhode Island is reporting that they are seeing spawn of the winter flounder and using some for studies of the impact of dredging on embryos and larvae. The success of the 2004 year class will be reported when we can characterize it sometime after May. **(Michael.Ludwig@noaa.gov, 203/ 882-6504)**

### **OXFORD, MD OFFICE, 904 SOUTH MORRIS STREET, OXFORD, MD 21654**

### **RESOLUTION ON "THE PENINSULA" PROPOSAL**

The Peninsula is a planned residential development (1400 units) adjacent to Indian River Bay, DE. Despite the fact that the site is approximately 800 acres, development plans included conversion of 6 acres of shallow water habitat to recreational beach, much of which will be above mean high water shoreline. Following months of negotiation, project proponents have agreed to eliminate all but 0.5 acre of beach creation. Compensation for the filled shallows will be provided by restoring an area previously used for the disposal of dredged material to shallow water. In addition to the 0.5 acre of shallow, additional areas of the spoil site will be used to restore tidal wetlands. **(Tim.Goodger@noaa.gov, 410/ 226-5606)**

### **MORE ON THE INDIAN RIVER INLET TIDAL POWER PROJECT**

As reported last month, plans to construct a tidal power demonstration project in Indian River Inlet, Delaware continue to advance. A public meeting was recently held to solicit comment from the recreational fishing community. The proposal was met with strong, vocal opposition.

As previously noted, Indian River Inlet provides the principal means of ingress and egress for migratory organisms using the Delaware Inland Bays, which collectively provide nursery and feeding habitat essential to dozens of species managed by the Mid-Atlantic Fishery Management Councils and/or Atlantic States Marine Fisheries Commission. Potential impacts of the generating units (e.g., vibration, entrainment, impingement, pressure changes) on living marine resources have not been addressed. **(Tim.Goodger@noaa.gov, 410/ 226-5606)**

### **POPLAR ISLAND RESTORATION PROJECT**

Poplar Island is a 1200-acre restoration project in Chesapeake Bay. The restoration is being implemented using "clean" (i.e., non-contaminated) dredged material from the approach channels to Baltimore Harbor. The site became operational in 2000 and will continue for approximately 20 years. When completed, the island will be comprised of 50/50 mix of tidal wetlands and uplands.

Maintenance and repair continue in the wake of Hurricane Isabel. The site is subdivided into cells to control inflow of dredged material as well as dewatering and crust management. Cell 3D is scheduled to be planted with wetland vegetation and opened to tidal flow in the spring of 2005. Design and construction of internal tidal guts will be completed this year. NMFS biologists from Beaufort, NC Lab, who have been conducting fisheries studies in the area as part of the overall monitoring strategy since 1995, will survey again in April. **(Tim.Goodger@noaa.gov, 410/ 226-5606)**